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UNCLAS SECTION 01 OF 02 ANKARA 004031

SIPDIS

STATE FOR PM/RSAT (ANNE BONFANTE), L/T, EUR/SE
OSD FOR ISP/EUROPEAN POLICY (MARIA COPSON-NIECKO)

E.O. 12958: N/A

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SUBJECT: GOT APPROVES REVISED SEEBRIG ASSURANCES

REF: SECSTATE 201017

1. Embassy Ankara received a diplomatic note from the Turkish MFA on June 24, confirming that the SEEBRIG assurances requested of the GOT (reftel) are acceptable to the GOT and that its note constitutes an agreement between the USG and the GOT. Embassy Ankara has reviewed the diplomatic note and can confirm that the text to which the GOT has agreed is identical to that which the Embassy provided to the GOT. The complete text of the diplomatic note follows at paragraph 2. A copy of the GOT's diplomatic note has also been faxed to PM/RSAT, L/T, and EUR/SE.

2. Begin text of diplomatic note:

The Ministry of Foreign Affairs of the Republic of Turkey presents its compliments to the Embassy of the United States of America and refers to the Embassy's note 1138 of October 16, 2002, which reads as follows:

"The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of Turkey and refers its note verbale 866 of August 9, 2002 and to the provision of United States law that requires the Government of the United States of America, prior to a grant under the Foreign Assistance Act of 1961, as amended, or successor legislation, or sale or lease under Section 3 of the Arms Export Control Act, as amended, or successor legislation, of defense articles, related training and other defense services, to obtain assurances from recipient nations of such defense articles, related training and other defense services. The Government of the United States of America is currently and may in the future be providing assistance to the Government of Bulgaria, as the Headquarters Host Nation of the South Eastern European Brigade (SEEBRIG), as well as to future SEEBRIG Headquarters Host Nations, for the establishment of a Communications Information System (CIS), for use by all SEEBRIG member states in furtherance of SEEBRIG operations. Prior to permitting the temporary transfer and use of any such defense articles, related training and other defense services from the Government of Bulgaria or any other SEEBRIG member nation acting as the SEEBRIG Headquarters Host Nation, to the Government of Turkey for use in SEEBRIG operations the Government of the United States of America is required to obtain from the Government of Turkey the revised assurances below:

A. That unless the consent of the Government of the United States of America has been first obtained, the Government of Turkey shall not:

I) Use or permit the use of such defense articles, related training or other defense services for purposes other than for SEEBRIG operations;

II) Permit any use of such defense articles, related training or other defense services by anyone not an officer, employee or agent of the Government of Turkey;

III) Transfer or permit any officer, employee or agent of the Government of Turkey to transfer such defense articles, related training or other defense services by gift, sale, or otherwise, except to the SEEBRIG Headquarters Host Nation.

B. That when acting as the SEEBRIG Headquarters Host Nation, the Government of Turkey acknowledges its responsibility for security, control, inventory, service and maintenance of the defense articles, related training and other defense services provided to SEEBRIG by the United States Government. In furtherance of its custodial role, it will be responsible for and will ensure the proper administration and temporary distribution of subject defense articles, related training and other defense services to SEEBRIG member states for use in SEEBRIG operations.

1C. When acting as the SEEBRIG Headquarters Host Nation, the Government of Turkey provides its assurances that:

I) it shall not transfer or permit any officer, employee, or agent of the Government of Turkey to transfer such defense articles, related training or other defense services to anyone not an officer, employee or agent of the government of a SEEBRIG member state;

II) it will not permit the use of such defense articles, related training, or other defense services by anyone not an officer, employee or agent of the government of a SEEBRIG member state;

III) it shall not use or permit the use of such defense articles, related training or other defense services for purposes other than SEEBRIG operations;

IV) it shall return to the Government of the United States of America said defense articles, related training or other defense services provided with Peace Keeping Operations funds from the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America provides written consent to another disposition; and

V) finally, it shall not permanently transfer said defense articles, related training and other defense services or the responsibility thereof to the successor SEEBRIG Headquarters Host Nation prior to making formal written application for, and receipt of, the written consent of the Government of the United States of America.

1D. The Government of Turkey shall at all times maintain the security of such defense articles, related training, and other defense services; that it shall provide substantially the same protection afforded to such articles or related training other defense services by the Government of the United States of America and; that it shall, as the United States may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of Turkey.

1E. The subject defense articles, defense services and related training are being provided by the United States of America with the understanding that they will not be transferred to Cyprus or otherwise used to further the severance of division of Cyprus.

The Ministry's reply stating that the foregoing is acceptable to the Government of the Republic of Turkey shall, together with this note, constitute an agreement between the two governments, which shall enter into force on the date of the Ministry's reply."

The Ministry of Foreign Affairs of the Republic of Turkey has the honor to confirm that the proposal set forth in the Embassy's note is acceptable to the Government of the Republic of Turkey and that the Embassy's note and this note in reply shall constitute an agreement between the two governments which shall enter into force on this date.

The Ministry of Foreign Affairs of the Republic of Turkey avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

PEARSON